

## **REMARKS**

Applicants respectfully request reconsideration of this application as amended.

Claims 1, 3, 4, 18, 32-35, 40, have been amended. Claims 2, 5-6, 10-17, 19, and 22-26, have been cancelled without prejudice. Therefore, claims 1, 3-4, 7-9, 18, 20-21, and 27-45 now are presented for examination.

### **Claim Objections**

Claim 33 is objected to because of the following informalities: The claim recites, “The apparatus of claim 32...” in line 1. Base claim 32 recites a system, rather than an apparatus.

Claim 33 has been amended to overcome the objection. Applicants respectfully request the withdrawal of the objection of claim 33.

### **35 U.S.C. § 112 Rejection**

Claims 2-4, 7 and 8 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 2 was cancelled without prejudice.

Claims 3-4 and 7-8 have been amended to overcome the objection. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 3-4 and 7-8.

### **35 U.S.C. § 103 Rejection**

Claims 1-3, 7-9, 18, 20, 21, 27-34 and 36-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Larsen, et al., U.S. Patent No. 5,835,705 (“Larsen”) in view of Dreyer, U.S. Patent No. 5,657,253 (“Dreyer”).

Larsen discloses “the processor has *first and second modes of operation . . . [and]* when the performance monitor is operating in the first mode, a first counter within the performance monitor increments *in response to each occurrence of the first event* and a second counter within the performance monitor increments *in response to each occurrence of the second event*” (col. 2, lines 2-9; emphasis provided). Larsen further discloses “in global mode the event occurrences generated by all of the logical partitions of processor are input into multiplexer. Multiplexer then routes the event occurrences to particular counters among PMCs in response to select input” (col. 5, lines 7-11).

In contrast, claim 1, in pertinent part, recites “an event detector to detect a predetermined list of events and to transmit an event detection signal to a multiplexer; an event register to instruct the multiplexer to select an event from the predetermined list of events by filtering those events that are not to be counted and by qualifying the event that is to be counted based on a set of conditions” (emphasis provided). Larsen does not teach or reasonably suggest sending an event detection signal to the multiplexer, and having an event register to instruct the multiplexer to select an event from the list of events by filtering the events that are not to be counted by qualifying a single event that is to be counted. For at least the reasons set forth above, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 18, 32 and 40 contain limitations similar to those of claim 1 and accordingly, Applicants respectfully request the withdrawal of the rejection of claims 18, 32 and 40 and their dependent claims.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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Date: October 29, 2004



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